

ARTICLE 50

SEC. 21-50 MINOR USE PERMIT.

50.1 Minor use permit: Minor use permits revocable, conditional and/or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this Chapter. The Board of Supervisors, Planning Commission or Zoning Administrator may impose such conditions as they deem necessary to secure the purposes of this Chapter and may require tangible guarantees or evidence that such conditions are being, or will be, complied with. The Planning Director may require that the Review Authority for a proposed minor use permit be the Planning Commission by requiring a major use permit when proposed uses are not in compliance with all applicable performance standards pursuant to the criteria of [Section 41.3](#). (Ord. No. 1749, 7/7/1988)

50.2 Application: Application for a minor use permit shall be made in writing by the owner of the property; or lessee, purchaser in escrow or optionee with the written consent of the owner; or by a public utility company or other agency with the powers of eminent domain, on a form prescribed by the Planning Department. The application shall be accompanied by a fee in an amount to be set by the Board of Supervisors, and plans showing the details of the proposed use to be made of the land or building, and any other pertinent information required by the Planning Department as provided in [Article 55](#). (Ord. No. 1749, 7/7/1988)

50.3 Action by Zoning Administrator:

- (a) Upon receipt of a minor use permit application that is determined by the Planning Department to be complete, the Planning Department shall set the matter for a public hearing before the Zoning Administrator in the following manner:
 - 1. Not less than ten (10) calendar days prior to the proposed issuance, written notice of the proposed issuance of a minor use permit shall be given by mail or delivery by the Planning Director to all owners shown on the last equalized assessment roll as owning real property as follows:
 - i. If the real property which is the subject of the hearing is five (5) acres or less in size, notice shall be given to owners of all real property within three hundred (300) feet of the real property which is the subject of the hearing.
 - ii. If the real property which is the subject of the hearing is more than five (5) acres in size, notice shall be given to owners of all real property within seven hundred (700) feet of the real property which is the subject of the hearing.
 - iii. Said notice shall also be published one (1) time in at least one (1) newspaper of general circulation within the county at least ten (10) days prior to the proposed date of approval.
 - 2. The written notice shall declare that the requested minor use permit may be issued without a public hearing if no written request for hearing is filed

with the Planning Department within ten (10) calendar days of the date of mailing.

3. If no appeal or request for hearing is filed with the Planning Department, the minor use permit may be issued by the Zoning Administrator without a public hearing.
4. If an appeal or request for a hearing by the applicant or other affected person is filed at the Planning Department pursuant to this Subsection, the Planning Director shall schedule a public hearing and provide notice of the hearing as provided for in [Article 57](#).
5. Appeals pursuant to this Section shall be accompanied by a fee as established by the Board of Supervisors. **(Ord. No. 2172, 8/12/1993)**

50.4 Findings required for approval:

- (a) The Review Authority may only approve or conditionally approve a minor use permit if all of the following findings are made:
 1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be detrimental to property and improvements in the neighborhood or the general welfare of the County.
 2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
 3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use. **(Ord. No. 2128, 1/14/1993)**
 4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project. **(Ord. No. 1749, 7/7/1988)**
 5. That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan.
 6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in

violation so as not to be affected by the violation from a public health, safety or general welfare basis. **(Ord. No. 2128, 1/14/1993)**

50.5 Permit issuance and appeal period: Minor use permits shall not be issued until seven (7) calendar days have elapsed from the granting thereof, and in case an appeal is filed from the Zoning Administrator or Planning Commission decision thereon shall not be issued until a decision has been made by the appellate body on such appeal. Minor use permits shall not have any force and effect until the permittee acknowledges receipt thereof and agrees in writing to each and every term and condition thereof.

50.6 Appeals:

- (a) A decision of the Zoning Administrator on a minor use permit application may be appealed to the Planning Commission in accordance with the provisions of [Section 58.20](#) et seq. of this Chapter.
- (b) A decision of the Planning Commission on a minor use permit application may be appealed to the Board of Supervisors in accordance with the provisions of [Section 58.30](#) et seq. of this Chapter.

50.7 Reapplication: Reapplication for denied minor use permits shall be as provided in [Article 60](#).

50.8 Expiration: All minor use permits shall have an expiration period(s) as provided in [Article 60](#).

50.9 Revocation and modification: Minor use permits may be revoked or modified as provided in [Article 60](#).

SEC. 21-50.10 ESTABLISHMENT OF THE ZONING ADMINISTRATOR.

50.10 Establishment: There is hereby created the office of Zoning Administrator. The Zoning Administrator shall be the Planning Director or his designee.

50.12 Responsibility of the Zoning Administrator: The Zoning Administrator shall be the Review Authority for all minor use permits required or permitted by this Chapter and shall be responsible for such other duties as specified in this Chapter or by the Board of Supervisors.